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6 | Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 F. G. CROSTHWAITE, et al., as Trustees of
11 the OPERATING ENGINEERS' HEALTH
AND WELFARE TRUST FUND, et al.

Case No.: C12-5294 YGR

**NOTICE OF VOLUNTARY DISMISSAL;
AND ORDER RE SAME**

Plaintiffs,

V.

14 SPOSETO ENGINEERING, INC., a California corporation.

Defendant.

18 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs OPERATING
19 ENGINEERS' HEALTH & WELFARE TRUST FUND, et al., voluntarily dismiss, without
20 prejudice, their claim against Defendant SPOSETO ENGINEERING, INC., a California
21 corporation. Defendant has neither served an answer nor moved for summary judgment, and
22 Plaintiffs have not previously filed or dismissed any similar action against Defendant.

23 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-
24 entitled action, and that the foregoing is true of my own knowledge.

25 | Executed this 8th day of January, 2013, at San Francisco, California.

SALTZMAN & JOHNSON
LAW CORPORATION

By:

/s/

Michele R. Stafford
Attorneys for Plaintiffs

1 IT IS SO ORDERED.

2 This case is dismissed without prejudice.

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4 Date: January 15, 2013


5 YVONNE GONZALEZ ROGERS
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